

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 178311
ORIGIN NEA-10

INFO OCT-01 ISO-00 L-03 CIAE-00 INR-07 NSAE-00 SS-15
NSC-05 /041 R

DRAFTED BY NEA/IAI:MGANDERSON:LLC
APPROVED BY NEA:ARDBY
NEA/IAI:WBSMITH
L/NEA:WRHODES (INFO)

-----009299 300100Z /62

R 291906Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY TEL AVIV
INFO AMCONSUL JERUSALEM

LIMITED OFFICIAL USE STATE 178311

E.O. 11652: N/A

TAGS: CPRS IS

SUBJECT: RUSSIAN ECCLESIASTICAL MISSION'S PROPERTY CLAIMS
IN JERUSALEM AND BEIT JALA

REF: (A) JERUSALEM 665, (B) TEL AVIV A-50

1. FATHER ANTHONY GRABBE OF RUSSIAN ECCLESIASTICAL MISSION
(REM) HAS ASKED THAT WE APPROACH MFA ONCE AGAIN FOR REPORT
ON STATUS OF REM COURT CASES PERTAINING TO CAPTIONED
PROPERTIES.

2. GRABBE CONTENDED THAT DISTRICT COURT ORDER OF MARCH 1974
REQUIRING REM TO PROVIDE EVIDENCE OF LEGAL INCORPORATION
UNDER OTTOMAN LAW, AND THE SUPREME COURT FINDING OF APRIL
14, 1977 THAT THE REM HAD NOT SUBMITTED SUCH EVIDENCE, WERE
POLITICALLY MOTIVATED AND CONTRARY TO GOOD LEGAL PROCEDURE.
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 178311

3. GRABBE SAID THAT DISTRICT COURT ASKED FOR EVIDENCE OF
REM'S LEGAL STANDING ONLY AFTER CASE HAD BEEN BEFORE COURT
FOR TWO OR THREE YEARS.

4. REM PLANS TO APPEAL APRIL 14 DECISION TO 5 JUDGE COURT
(SUPREME COURT SITTING AS COURT OF APPEALS) AND ASKS THAT

DEPARTMENT ASK MFA TO LOOK INTO MATTER OF REM'S HAVING TO PROVE THAT IT IS A LEGAL PERSON.

5. GRABBE ALSO RAISED REM CLAIM TO RAS PROPERTY IN BEIT JALA WHICH, ACCORDING TO GRABBE, HAS BEEN TAKEN OVER BY MILGOV AUTHORITIES. THEY IN TURN HAVE LEASED PROPERTY TO SOCIETY FOR THE PROTECTION OF NATURE FOR PAST SIX YEARS. REM HAS CLAIMED THAT IT SHOULD RECEIVE ANY RENTS COLLECTED ON THIS PROPERTY. LETTER OF MAY 27 TO COMMANDER OF MILGOV HEADQUARTERS AT BEIT EIL FROM REM'S LAWYER (A COPY OF WHICH WAS SUPPLIED TO DEPARTMENT BY GRABBE) STATES THAT UNLESS THERE IS SETTLEMENT ON RAS PROPERTY WITHIN ONE WEEK REM WILL REOPEN SUIT AGAINST ABOVE SOCIETY PRESENTLY PENDING BEFORE CIVIL COURT.

6. WHILE WE HAVE GENERALLY REFRAINED FROM INTERPOSING OURSELVES IN THESE CASES, OTHER THAN TO EXPRESS HOPE FOR EARLY CONCLUSION OF PROCEEDINGS AND TO NOTE AMCITS' INTEREST IN THEM, IT WOULD APPEAR THAT ORDER OF DISTRICT COURT OF MARCH 1974 AND SUPREME COURT'S APRIL 1977 DECISION UPHOLDING DISTRICT COURT ARE PROPER SUBJECT FOR INQUIRY ON OUR PART.

7. REQUEST EMBASSY ASK MFA TO EXAMINE MATTER OF REM'S HAVING TO PROVE IT IS A LEGAL PERSON AND PROVIDE REPORT ON LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 178311

THIS ASPECT OF CASE ALONG WITH GENERAL STATUS REPORT ON REM'S LEGAL ACTIONS BOTH IN JERUSALEM (RUSSIAN COMPOUND) AND BEIT JALA. VANCE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE178311
Document Source: CORE
Document Unique ID: 00
Drafter: MGANDERSON:LLC
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770273-0417
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977073/aaaaacmc.tel
Line Count: 97
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 4bce5b65-c288-dd11-92da-001cc4696bcc
Office: ORIGIN NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 JERUSALEM 665, 77 TEL AVIV A-50
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1779989
Secure: OPEN
Status: NATIVE
Subject: RUSSIAN ECCLESIASTICAL MISSION'S PROPERTY CLAIMS IN JERUSALEM AND BEIT JALA
TAGS: CPRS, IS
To: TEL AVIV
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/4bce5b65-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009